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REPORT OF THE ADVISORY COMMITTEE ON INTERNATIONAL PLANT PROTECTION CONVENTION

Held in Rome, Italy
19-23 September 1955

Food and Agriculture Organization of the United Nations
Rome, Italy October 1955

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INTRODUCTION

The Director-General, in compliance with a suggestion made by the 1953 FAO Conference, invited to Rome for the period of 19 to 23 September 1955 nine specialists in the field of plant protection from Member Countries in various parts of the world. The specialists were asked to undertake, serving as individuals rather than as representatives of their Governments, two types of responsibility: 1) to serve as an advisory committee under Article XIII of the International Plant Protection Convention to consider proposed amendments to the Convention and suggestions on its implementation that had been received by the Director-General from Member Governments; 2) to appraise for the Director-General the current activities of the Organization in the plant protection field and to advise him with respect to desirable future courses of action.

At the opening of the session, Dr. F.T. Wahlen, Director of the Agriculture Division, welcomed the members of the Committee to the FAO headquarters and, expressed his appreciation of the cooperation of those Governments in making available to FAO the services of the specialists. He briefly reviewed the history of the development of the International Plant Protection Convention and reaffirmed the importance that FAO attaches to the Committee. The Committee was invited to examine critically the activities of FAO in connection with the implementation of the Convention and was assured that its recommendations will receive the keenest attention of the Director-General.

PARTICIPATION IN THE COMMITTEE

Dr. C.J. BRIEJER
Director, Plantenziektenkundige Dienst, Wageningen, Netherlands.

M. P. DUMAS
Chef du Service de la Protection des Végétaux, Ministère de l'Agriculture, Paris VIIème, France.

Dr. S.B. FRACKER
Coordinator, Agricultural Research Administration, U.S. Department of Agriculture, Washington D.C., U.S.A.

Dr. E. GRAM
Director, Statens Plantepatologiske Forsøg, Lyngby, Denmark.

Dr. T.H. HARRISON
Director of Plant Quarantine, Department of Health, Canberra, A.C.T. Australia.

Mr. P.G. INCH
Head, Plant Health Branch, Ministry of Agriculture, Fisheries and Food, London, England.

Mr. W.N. KEENAN
Chief, Division of Plant Protection, Department of Agriculture, Ottawa, Canada.

Dr. K.B. LAL
Plant Protection Adviser to the Government, Directorate of Plant Protection, Quarantine and Storage, Ministry of Food and Agriculture (Agr.) New Delhi, India.

Ing. Agr. Angel G. STURA
Director-General de Sanidad Vegetal, Ministerio de Agricultura, Buenos Aires, Argentina.

Dr. S.B. Fracker served as Chairman of the Committee and Dr. L. Ling of the FAO staff acted as technical secretary.

CURRENT STATUS

The International Plant Protection Convention was developed at a series of conferences of specialists during 1950 and 1951. The draft so worked out was submitted to the Sixth Session of the FAO Conference on 6 December 1951 and was officially approved by the Conference for submission to Member Governments. Up to the time that the Advisory Committee met on 19 September 1955, the Convention was in full force with respect to 30 different Governments, of which 22 were original signatories and had ratified it in accordance with their legislative procedures, and eight had subsequently adhered to it after the executive branches of the Governments had secured legislative approval for such adherence. At the present time the question of ratification is pending before the legislative bodies of 15 additional Governments whose executive departments have become signatories but whose legislatures have not yet completed ratification.

The Spanish text of the Convention was amended in 1953 to make it conform to the French and English texts, but otherwise the Convention has remained unchanged since its adoption in 1951.

The Convention provides procedures under which supplementary agreements may be adopted with respect to specific regions or specific problems and for the establishment of regional plant protection organizations. The most firmly established of such regional bodies is the European and Mediterranean Plant Protection Organisation (EPPO) which is a continuation of the International Committee for the Control of the Colorado Beetle. Although EPPO was organized before the International Plant Protection Convention came into force, it now functions as a recognised regional organization under the Convention.

Similarly in Central America and Mexico the International Committee originally established for cooperation in locust control (CICLA) has now been incorporated into the Organismo Internacional Regional de Sanidad Agropecuaria (OIRSA), which will cover the entire field of plant protection.

In the continent of South America, the Governments of Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay have been collaborating for some time in an organization for the control of locusts (CIPA). There is also a Convenio Interamericano de Sanidad Vegetal, whose members are Argentina, Brazil, Paraguay and Uruguay, covering the control of all other pests. These activities may serve as the basis for the establishment of a regional plant protection organization for South America.

In South East Asia a plant protection meeting was convened by FAO at Singapore in December 1954 to draft a plant protection agreement for the South East Asia and Pacific region. This Agreement also provides for a regional organization under the name of the Plant Protection Committee for the South East Asia and Pacific Region. This Committee would consist of representatives of signatories to the regional agreement, and would have broad powers for advising upon plant protection policies and requirements in that section of the world.

A Phytosanitary Convention for Africa South of the Sahara, negotiated by the Commission for Technical Cooperation in Africa South of the Sahara, has been signed by the six Governments concerned and is in process of ratification.

FAO has meanwhile undertaken to aid a number of interested countries in setting up effective plant protection services, and to strengthen services already in existence. Notable progress has been made in this activity especially in Asia and in Central America.

The FAO World Reporting Service was initiated shortly after the approval of the Convention to facilitate the exchange of information on the incidence of plant pests and diseases of economic importance, their spread to new areas, the degree of damage they cause, and methods of controlling them. Information accumulated under this service is published in three languages in the FAO Plant Protection Bulletin which is circulated widely throughout the world.

The Bulletin also makes reference to all changes in quarantine regulations which come to the attention of FAO. Full information on all plant quarantine legislation and regulations in effect is assembled from time to time and brought up to date. The "Digest of Plant Quarantine Regulations" was first published in 1949. This covered the regulations of 22 countries and territories. The second and more complete edition was issued in 1952 covering the regulations of 40 countries, and a supplement was issued in 1954 covering 38 additional countries and territories. The 1952 edition and the 1954 supplement, taken in conjunction with the current changes reported regularly in the FAO Plant Protection Bulletin, have supplied member countries with the available information on legislation and regulations affecting the international transportation of plants and plant products.

The Convention provides in Article IX certain procedures for the consideration of disputes between signatory governments regarding the interpretation or application of the Convention or regarding quarantine actions adopted by the Members. So far no official requests requiring action under this Article have been made to FAO, but a number of cases were settled through informal negotiation between governments with the assistance of FAO.

CONSIDERATION OF PROPOSED AMENDMENTS AND SUGGESTIONS

Proposals for amendments to the International Plant Protection Convention examined by the Committee were considered to fall into two categories:

a) those involving the question of having an additional Model Certificate to cover seeds and plant products, and

b) those seeking to clarify and improve the wording of both the Convention and the existing Model Certificate.

In addition, some suggestions on implimentation of the Convention were received.

The Committee gave exhaustive consideration to the various proposals for amendments submitted by Denmark, Italy and the United Kingdom and suggestions on implementation offered by Australia, Belgium, Switzerland and the United States.

Denmark and the United Kingdom expressed the view that, because many seed-borne diseases are difficult to detect especially by examination of the consignment at the time of shipment, the wording of the Model Certificate was not suitable for use to cover export of seeds for sowing. They therefore suggested the use of a separate certificate for seeds based on the wording of the certificate recently adopted in the United Kingdom, reading as follows:

> "This is to certify that the plant products described below are believed to conform with the current phytosanitary regulations of the importing country."

The majority of the Committee, however, considered that provision existed in the Model Certificate to meet the above conditions by making use of the space under 'Additional Declarations' provided in the Model Certificate. This section could be used to define, in precise terms, the disease or insect pest status of the consignment. It is felt that qualifying additions will strengthen confidence in the certificates.

The Committee was unanimous in emphasizing that the efficiency of the service granting the certificate is more important than the wording of the certificate.

The Committee also unanimously agreed that it was unreasonable for countries to require a health certificate for seeds of each and every kind for sowing and recommends that FAO invite Governments to reduce to a minimum their demands for health certificates covering such seeds. When doing so, FAO is requested to emphasize the inconvenience caused to exporting countries by demands for health certificates covering small packets of seeds for no specific reason.

The United Kingdom also proposed that the form of certificate quoted above should be used for "plant products". The Italian Government, on the other hand, proposed that the Model Certificate should be used for all plant material including "plant products" and that its use should be obligatory on all Governments adhering to the Convention.

After carefully reviewing the practical issues involved, the Committee preferred to continue the arrangement provided in the Convention. Under this the Model Certificate may be used for "plant products" where appropriate and not inconsistent with the requirements of the importing country.

The United Kingdom made a series of proposals designed to improve and clarify the text of the Convention, including the Model Certificate. These were fully discussed and, while expressing appreciation of the care and thought given to this matter by the Government of the United Kingdom and recognizing that the wording of the Convention and Model Certificate is not perfect, the general concensus of opinion was that no amendments need be made at this stage. Among the reasons for this view were:

(a) Fifteen countries had yet to ratify the Convention and the introduction of amendments at this stage could complicate the position and possibly delay ratification.

(b) Some countries, which had already ratified the Convention might feel inclined to postpone action on it until they were satisfied that their obligations under the Convention were clearly defined.

(c) It would be extremely difficult to word the Convention or Model Certificate in such a way as to meet all possible requirements and therefore, as the Certificate has been widely accepted, a change at this stage would be inadvisable.

It is recommended that when more experience has been gained in the operation of the Convention, the suggestions received from various Governments should be given further consideration.

Arising from the discussions, however, the Committee felt it necessary to invite attention to the following:

(a) All parties to the Convention should be advised that for the purposes of the Convention, material intended for planting should include "pot plants".

(b) The Committee considered the question of material which scientific workers may desire to import and suggests that FAO should advise all Convention Members that the gravity of the risk of introducing plant diseases and pests is not lessened by the use of imported material for scientific purposes and therefore that all material for such purposes must be imported and utilized under full quarantine safeguards.

(c) The United States Government sought clarification as to whether "milled material" of plant origin mentioned in Article II, paragraph 1, of the Convention would include such manufactured or partly manufactured plants products as paper and timber. The Committee agreed that milled material of plant origin should continue to come within the provisions of the Convention so long as the process of manufacture has not eliminated or at least substantially reduced the likelihood of its transmitting plant diseases or insect pests. This criterion may be used for interpreting the meaning of "milled material".

(d) All Governments parties to the Convention have agreed to accept the Model Certificate where phytosanitary certification is called for. The fact that not all of them have specifically modified their regulations to incorporate the wording of this Certificate is not to be taken as an indication that the Model Certificate is unacceptable to them.

(e) The Committee recommends that all parties to the Convention accept the Model Certificate if written in any one of the three official languages of FAO, viz. English, French and Spanish.

REVIEW OF PROGRESS AND RECOMMENDATIONS AS TO FUTURE DEVELOPMENTS

Signatory and Adhering Members

There appears to be some confusion by Member Governments in interpreting the terms "signatory member" and "adhering member". Signatory members which have ratified the International Plant Protection Convention and adhering members have equal status as parties to the Convention. In accordance with Article XII paragraph 2 of the Convention, adherence is effected by the deposit of an instrument of adherence with the Director-General. In many countries adherence to an international agreement requires ratification by the legislative branch of the Government prior to the deposit of an instrument of adherence.

It is recommended that in published lists of Governments participating in the Convention, ratification dates in advance of adherence, wherever possible, be shown as well as the ratification dates applicable to signatory Governments. The headings or introductory statements in connection with such lists should make it clear that Governments which have ratified, and those which have adhered, are in the same status, while signatory governments which have not yet ratified are not to be considered as having yet assumed the obligations of the Convention.

The Committee recommended that every effort be made to encourage Governments which have signed the Convention to take immediate steps toward ratification, and to encourage those which have not signed to take necessary action toward adherence.

Minimum Requirements for Plant Protection Services

Under Article IV of the Convention each contracting Government agrees to make provision "as soon as possible and to the best of its ability" for establishing: a) an official plant protection organization to carry out the necessary functions of inspection, pest and disease control, quarantine treatment, and the issuance of export certificates relating to phytosanitary conditions, b) the distribution of information within the country regarding pests and diseases of plants and plant products and measures for their prevention and control, and c) research and investigation in the field of plant protection.

Question has arisen as to whether the somewhat detailed description of the needed organization for carrying out the functions given in this article is to be considered as a list of minimum requirements precedent to any Government becoming a party to the Convention, or whether it describes a complete plant protection organization to which all signatory Governments should aim as their resources permit. The attention of the Committee was called to the difficulty that some smaller countries and territories face in attempting to establish the full facilities outlined in this Article.

The Committee after discussing the subject agreed that Article IV outlines an ideal organization, rather than one with which many Governments can fully comply at this time. It was not thought desirable to impose rigid requirements as a condition for becoming a party to the Convention. However, as a minimum consideration, the Committee feels that any Government attempting to carry out the provisions of the International Plant Protection Convention should at least have:

(a) such a number of trained personnel in entomology and phytopathology as may be required for the minimum number of inspections that are needed in the light of the magnitude of the agricultural production of the country and the extent of its international trade,

(b) basic legislation outlining the functions and powers of the agency responsible for enforcement, and authorising the trained personnel to take such action as may be required to prevent the spread of pests and diseases of plants and plant products and to control outbreaks,

(c) some practicable provision and facilities for the inspection of imported plant materials intended for export or import,

(d) some facilities for treating, or at least destroying, infested material,

(e) necessary financial provisions for carrying out the above functions.

It is important for the country also to establish as soon as possible some form of organization that can help the growers to reduce the amount of damage resulting from infection or infestation.

Basic training and means of keeping inspectors and plant protection employees up to date also need to be provided either within the country, or, through fellowships or otherwise, in other countries to whose educational facilities they have access.

In this connection, reference was made to the short courses for general training in plant quarantine work at the port of New York and facilities established under the Colombo Plan for similar training in Australia and Canada. Such facilities can be made available also to FAO fellows.

Information on National Organizations

FAO has the responsibility of obtaining and circulating a description of the national plant protection organizations existing in various Member countries. Information of changes in such national organizations should also be made available to Governments from time to time.

The staff of FAO has found it very difficult to obtain such information. In 1953 an attempt was made to secure data of this kind through circulating a five-page questionnaire to Governments which at that time had completed the ratification procedure. Information obtained as a result of sending out the circular was so meagre that it was not found practicable to issue a summary for distribution.

The members of the Committee after reviewing their experience with questionnaires and other means of obtaining data, suggested that further efforts be made to obtain from Governments at least the addresses of the responsible agencies and officials, and an outline of the facilities available to them. It was proposed that this be divorced from any attempt to secure information on pests and the amount of damage they were doing.

To secure sufficient information whereby the adequacy of the inspection services in various countries may be evaluated, it was believed that visits by representatives of FAO would be desirable. It might not be necessary to make special trips in all cases, but data could be obtained by technical assistance representatives and others who have occasion to visit the countries concerned. When experts are available to make such visits they would also be useful in evaluating the services and making recommendations for their improvement. Activities of this type in Mexico, Central America, Panama and also in the Middle East have already been mentioned.

Regional Organizations

The Committee noted with satisfaction that FAO has made considerable progress in advancing regional plant protection activities through aiding in the development of regional organizations in Europe, South East Asia and the Pacific, Central America and Mexico. In addition, similar regional organizations have developed independently in that part of Africa South of the Sahara, and in the southern half of South America. The Committee recommends that liaison be established between FAO and these latter independent organizations, with a view to cooperating with them on subjects of mutual interest. In particular it is anticipated that a regional plant protection organization covering the continent of South America could be developed from the nucleus already established through agreements between several countries of South America.

The Middle East is a region not now adequately covered by a plant protection organization, although a strong FAO Desert Locust Control Committee is operating there effectively. It is recommended that FAO explore the possibility of organizing a broad scale plant protection organization in the Middle East. It will be desirable for FAO to confer with EPPO about the delimitation of the regions for which these two regional organizations would take responsibility so that they could operate in the most effective manner.

As a result of a meeting held in Singapore in December 1954, a draft agreement covering plant protection in the South East Asia and Pacific Region has been drawn up for the consideration of the countries concerned. Some difficulty has been encountered in phrasing a satisfactory definition of the geographical areas proposed for inclusion within the regional agreement. The Committee recognised the urgency of the problem, particularly as the introduction of certain dangerous diseases and pests into the area would constitute an especially serious hazard to the rubber and cacao industries upon which the economy of some of the countries primarily depend. It is hoped that any prevailing difficulties can be overcome promptly and that this regional agreement can come into effect in the very near future.

The Committee recommends that FAO explore the possibility of designating officially those inter-governmental plant protection agencies that are considered as "regional plant protection organizations" under Article VIII of the Convention.

World Reporting Service

The reporting service that has been developed by FAO in cooperation with Member Governments to disseminate information on outbreaks of pests and plant diseases is important to the operation of the International Convention and as a contribution to the prevention of the spread of such organisms. It is the unanimous opinion of the Committee that this Service is contributing materially to the international knowledge of pest and disease problems and to the efficiency of inspection services and therefore should be continued.

This reporting service should be expanded and every effort should be made to encourage member countries to establish a definite procedure in order that reports relative to outbreaks, control measures and similar matters may be distributed promptly. In connection with national and regional reporting services, the importance of which is stressed, a central source of information of this kind should be established in each country with a chain of contributing personnel operating throughout the country. It was brought out, nevertheless, that each of the large countries with varied crops and pests may find the maintenance of such a program difficult.

The possibility that prohibitive or restrictive measures might be applied by receiving countries on obtaining a report of a destructive pest or disease in a given area has often been emphasized. Some members of the Committee have been familiar with incidents in past years to justify anxiety about reporting such outbreaks promptly. The Committee felt that such anxiety should not now prevail, in view of the atmosphere of mutual confidence that is developing under the operation of the Convention. Frank and complete announcements regarding such outbreaks, including information on the quarantine, control and eradication measures established, can now be made, it is believed, without serious fear of unwise, unnecessary and precipitate quarantine action by other Governments.

It is recommended that FAO develop lists of important pests of limited distribution which would threaten to cause severe damage if they reach new areas. Several countries and regional organizations have developed such information for their own use, and these can be obtained by FAO for reference as a basis for a general list of this kind.

Plant Quarantine Legislation

The contribution of FAO in preparing digests of plant quarantine legislation is appreciated by the Committee.

One of the statements included in the Model Certificate declares that the shipment as certified conforms with the requirements of the importing country. In order to make this declaration correctly, it is necessary that each signing officer must be in the best possible position to know the requirements of the importing country. FAO has been, and is, in the best position to undertake the compilation of legislation and regulations promulgated by member countries and to distribute such information to those concerned.

The possibility of publishing these digests in a loose-leaf form was discussed, but it was felt that this plan would be impracticable on a world-wide basis. It may be useful in the case of sections applying to individual countries or regions.

Heretofore it has been extremely difficult for plant protection officers to keep up-to-date on such matters and the issuance of the Digest of Plant Quarantine Regulations by FAO has filled a long outstanding need. The Committee was unanimous in a desire for the continuance of this service, the need being especially great in countries which export large quantities of material requiring certification. It is believed that plant protection officials in countries with smaller exports also agree as to the value of the digests of plant quarantine legislation

SUMMARY OF RECOMMENDATIONS

1. That the use of the present form of Model Certificate be continued; and that it be accepted when expressed in any one of the three official languages of FAO, viz. English, French and Spanish.

2. That certification requirements for seeds be limited to specific diseases of designated kinds of seeds, and that generally certificates should not be asked for with respect to small packets unless there is some specific reason for doing so.

3. That no amendments to the text of the Convention or of the Model Certificate be made at this time, but that when more experience has been gained in the operation of the Convention, the suggestions for changes received from various governments be given further consideration.

4. That "pot plants" be considered as material "Intended for planting" under the Convention.

5. That plant material intended for scientific purposes be imported and utilized under full quarantine safeguards.

6. That manufactured material of plant origin be considered as coming within the purview of the Convention so long as the process of manufacture has not eliminated or substantially reduced the likelihood of its transmitting insect pests or plant diseases.

7. That member countries of FAO which have signed but not yet ratified the Convention be encouraged to do so and that those that have not become parties to the Convention be provided with up-to-date information concerning its principles and the developments throughout the world arising from the utilization of the Convention. Also that the procedure to be followed in ratification and adherence be clearly defined.

8. That present and prospective parties to the Convention promptly make every effort to provide an organization and facilities competent to meet at least its minimum needs for effective operation, if this has not already been done.

9. That the utilization of fellowships in providing plant protection training be encouraged and promoted.

10. That FAO make renewed efforts to obtain needed descriptions of the national plant protection organizations of Member countries.

11. That the proposed regional agreement covering the territories of South East Asia and the Pacific be made effective as soon as practicable, since the introduction of certain dangerous diseases and pests into the area would constitute an especially serious hazard to the rubber and cocoa industries upon which the economy of some of the countries primarily depends.

12. That all possible assistance be given to the countries covered by OIRSA in Central America and Mexico in their efforts to promote an efficient plant protection program.

13. That the efforts of the South American countries of Argentina, Brazil, Bolivia, Paraguay, Uruguay and Chile in the development of a plant protection organization be encouraged to the greatest possible extent by FAO and other interested agencies, with a view to the extension of that organization to all the countries of South America.

14. That FAO explore the possibility of designating officially those inter-governmental plant protection agencies that are considered as "regional plant protection organizations" under Article VIII pf the Convention.

15. That the World Reporting Service on plant diseases and pests established by FAO be continued and that member countries be further encouraged to cooperate in providing reports promptly.

16. That the publication of the Digest of Plant Quarantine Regulations initiated by FAO be continued.

APPENDIX A

SUMMARY OF PROPOSALS AND SUGGESTIONS OF MEMBER GOVERNMENTS

The FAO Conference at its seventh session held in 1953 urged governments that had signed the International Plant Protection Convention to expedite ratification in order to ensure its fullest effectiveness and non-signatory governments to adhere to it with the least possible delay. The Conference also recognized that the Convention, which had been in operation for only a short time, may be found to contain certain imperfections, and therefore suggested that a meeting of experts be convened to consider amendments to the Convention and questions relating to its operation.

In accordance with this recommendation, the Director-General of FAO, in his circular letter G/41 of 16 December 1954, invited all Member Governments to submit to him proposals for possible amendments of the Convention and suggestions for its more effective operation. Up to 15 September 1955, replies were received from the following 27 Governments:

Afghanistan	Germany (Federal Republic)	Libya
Australia	India	Luxembourg
Austria	Iraq	Netherlands
Belgium	Ireland	Pakistan
Bolivia	Israel	Portugal
Ceylon	Italy	Spain
Costa Rica	Korea	Switzerland
Denmark	Laos	United Kingdom
Egypt	Lebanon	United States

Among the twenty-six governments listed above, three governments submitted proposals for amendments. Others indicated that they did not wish to amend the Convention at this stage.

With regard to the implementation of the Convention, four governments made suggestions or requested clarification of certain provisions. A few others made remarks on the progress which has been made in building up their plant protection services.

The proposals and suggestions received are given in the following paragraphs.

PROPOSALS FOR AMENDMENTS

Denmark

The Plant Inspection Service should concern itself only with serious plant diseases and pests, and import regulations should accurately specify the rules governing imported seeds.

Explicit rules for such imports are set out in sections 2 and 10 of the Danish Executive Order No. 149 of 27 April 1953 on Importation of Plants and Parts of Plants, etc. (Section 2 prohibits the import of seeds of all stone fruit trees. Section 10 requires that lettuce seed for importation must originate in fields free from lettuce mosaic).

New import regulations in the United Kingdom, laid down in the "Importation of Plants Order, 1955" provide that lettuce and tomato seeds and peas shall be free from one particular disease which is specified for each of those seeds and that the seeds must be accompanied by a certificate issued on a special form. (The form is worded as follows: "This is to certify that plant products described below are believed to conform with the current phytosanitary regulations of the importing country." - followed by description of the consignment.)

The Danish authorities suggest that other countries would find it to their advantage to formulate their import regulations on the pattern of the Danish and the British regulations. The Danish authorities therefore wish to submit the following proposals for amendment of Article V of the Convention (on Phytosanitary Certificates) and of the Annex to the Convention:

1. In para 1, b), first sentence, insert "except seeds," after the word "propagation".
   Change the first word of the second sentence from "The" to "This".

2. In para 1, amend item (c) to item (d) and insert as a new item (c): "Each certificate covering seeds for sowing and plant products shall be as worded in the Second Annex to this Convention".

3. In para 2, delete the words "consignments of plants intended for planting or propagation" and insert in their place "consignments of plants, except seeds, intended for planting or propagation and consignments of seed and plant products respectively".
   Amend the word "model" to "models".
   Delete the word "Annex" and insert instead "First and Second Annexes".

4. Change the heading of the Annex to Article V of the Convention from "Annex" to "First Annex".
   Add as a new annex under the heading "Second Annex" the above-mentioned Phytosanitary Certificate contained in the British "Importation and Plants Order, 1955".

Italy

On the basis of Art. V, par. 1, (b) of the International Convention, the contracting countries are obliged to adopt the single model phytosanitary certificate reproduced as an annex to the Convention, only for plants intended for planting or propagation, whilst it is left to the decision of these countries to use this form of certificate also for plants and plant products intended for other uses, on condition of not contravening the phytosanitary requirements of the importing country.

In practice, this last circumstance should never occur inasmuch as the certificate, when used for plants and plant products intended for purposes other than planting and propagation, complies with the requirements of the importing country, since each contracting country does have the right to request additional declarations to be added on the certificate.

Taking into account the reasons which have in the past induced some countries, including Italy, to suggest the adoption of a single form of phytosanitary certificate to accompany plants destined for exportation - that is, to speed up as much as possible the bureaucratic operations inherent in the compiling and issue of such documents, and to interfere as little as possible with international trade - it is proposed to modify the text of Art. V of the Convention, so that the adhering countries will undertake to adopt the single form of certificate in all cases and in whatever manner, independently of the destination of the plants and plant products to which this certificate refers.

This is also because the purposes of the certificates are definitely the same, whether the goods are destined for consumption or for reproduction; that is, to guarantee the immunity of the plants and plant products from dangerous parasites which may spread.

United Kingdom

The matters of substance which Her Majesty's Government wish to put forward arise in connexion with the Model Certificate prescribed by the Convention for use in respect of plants and parts of plants (including seeds), the application of which to plant products is optional.

It appears to have been one of the objects in the negotiations leading to the Convention to evolve a single certificate which would be suitable for use throughout the whole phytosanitary field. It is Her Majesty's Government's opinion that this has not been achieved, for two reasons. First, the Model Certificate is not suitable for seeds and, secondly, a much simpler form of certificate is suitable for plant products. Her Majesty's Government's view, in fact, is that a single certificate applicable to the whole field is unattainable in practice.

In regard to seeds, it appears that only a small number of diseases can be detected by the examination of a consignment of seeds. In the case of many diseases the condition of health of a consignment of seeds can be determined only by inspection of the crop which produced the seeds or of plants produced from the seeds. The present form of the Model Certificate is therefore not satisfactory for application to seeds, and Her Majesty's Government have in fact preferred, for use in respect of the United Kingdom, another form, which appears as the Second Schedule of the Importation of Plants Order, 1955. I enclose a copy of this Schedule herein, as enclosure 1. Her Majesty's Government attach especial importance to this point because, in their view, it is not possible at present to meet general health requirements for all seeds; progress can be made only by imposing particular requirements for particular kinds of seeds.

Her Majesty's Government consider that the form of certificate which they use in respect of seeds is suitable also for application in respect of plant products. They therefore propose that the Convention be amended so as to provide for two certificates: one for use with plants and parts of plants, excluding seeds, and the other for use with plant products and seeds.

Furthermore, there is a suggestion of possible ambiguity in the first part of the Model Certificate as at present worded, since it links the pre-export examination (and that examination only) with a statement regarding "substantial freedom" from disease. It might be possible to hold that this statement, or a refusal to make it, must be based solely upon what is discovered during the pre-export inspection and that other knowledge need not therefore be taken into account.

Her Majesty's Government suggest that inclusion in the business of the forthcoming conference of a general discussion of the Certificate and its wording, with a view to eliminating the doubts arising from the foregoing, would be most helpful.

It has not been thought necessary at this stage to consider the question of the amendments to the Convention itself which would be necessitated by the adoption of two certificates instead of one. It would, for example, be necessary to redraft Articles 2 and 5.

I am also directed to take this opportunity to draw your attention to Mr. D.A.H. Wright's letter to you of the 10th of October, 1953, in which he put forward a number of drafting amendments. Further consideration has been given to those suggestions, and I am now to enclose a modified list (Enclosure 2) for your consideration and for discussion in due course. Although most of these proposals concern points of drafting, I am to draw your attention particularly to the suggested amendments to Article 5, 1(b) and Article 5,2., which are of a technical nature. They arise from the question whether it is the intention that the Model Certificate must be supplied to cover pot plants. It has been contended that, since pot plants are not material "intended for planting or propagation", the Certificate is

not required for them. Her Majesty's Government consider, however, that the Certificate should be required to cover pot plants, and the suggestion of the insertion of the word "growing" is made with this end in view.

Enclosure 1. Second Schedule of the Importation of Plants Order, 1955.

This is to certify that the plant products described below are believed to conform with the current phytosanitary regulations of the importing country.

..... 19.....

.....
(Signature)

.....
(Rank)

Enclosure 2. Drafting amendments desired.

Article 4, 1(a). Delete "with the following main functions" and insert "which shall perform where deemed necessary or where requested by receiving countries, the following functions".

Article 4, 1(b). Delete "the country" and insert "its territories".

Article 4, 1(c). Delete "plant" before "protection" and after "protection" add "of plants and plant products".

Article 5, 1(b), and Article 5,2. After the words "for planting" insert "growing".

Article 6, 1(d). To read: "Treat, or destroy particular consignments...."

Article 6, 2. To read: "To carry out the provisions of paragraph 1...."

Article 6, 2(f), line 2. To read: "without endangering protection of their own plants and plant products, will reduce..."

Article 6, 2(f), last line. Omit: "cereals".

Article 6, 2(g). Last words to read: "the risk of spreading diseases and pests of plants and plant products."

Article 7, (b). Last words to read: "pests or diseases which may seriously threaten plants and plant products and need international action....".

Article 8, 1. Between "establishing" and "regional" insert "further".

Article 10, heading. Delete "substitution of" and read simply "Prior Agreements".

Article 10, line 1: Delete "terminate and".

Article 11, 2, line 3. Between "modifying the" and "scope" insert "territorial".

Article 13, 2. Substitute "may" for "shall" in "it shall be considered by an Advisory Committee....".

Article 13, 4. Rewrite as follows: "any such proposed amendment of this Convention involving new obligations for Contracting Governments shall require the approval of the Conference of F.A.O. and shall come into force as from the thirtieth day after acceptance by two-thirds of the Contracting Governments for those Contracting Governments and for any other Contracting Government as from the thirtieth day after acceptance by it. Any other proposed amendment shall require the approval of the Conference of F.A.O. and shall come into force as from the thirtieth day after acceptance by two-thirds of the Contracting Governments."

SUGGESTIONS ON IMPLEMENTATION

Australia

1. The Convention is making a very real contribution to the efficiency of the Plant Protection Service throughout the world, guiding and stimulating various governments to base the plant quarantine legislation on sound biological principles.

2. It is sufficiently elastic to make it acceptable to governments and thus is able to work in the field of international co-operation to the well-being of mankind by the restriction of the spread of plant diseases and pests.

3. The Australian Government considers that it is too early to contemplate any major modification of the Convention. Some nations have only recently signified their adherence to it. Experience in other directions suggests that, only when the Convention has been operated for a number of years, will it be possible to see clearly what modifications would be in the best interests of the Plant Protection Service throughout the world.

4. The reporting service set up under the Convention was serving a useful purpose and should be continued, care always being taken to avoid overlapping services being rendered by other established reviewing services such as those being run by the Imperial Mycological Institute and the Imperial Institute of Entomology.

Belgium

The Government of Belgium does not wish to introduce any modifications to the text of the Convention, despite the imperfection in the wording of Article V, para. 1 (b).

This paragraph stipulates that the certificate for plants intended for planting or propagation should conform with the model. This wording seems to imply that another form is to be used for plants not for planting or propagation, such as ornamental plants, etc.

We take the opportunity to submit to you a suggestion which is of interest to Belgium. The international certificate, annexed to the Convention as a model, provides for the possibility of including additional declarations other than those strictly required. It would seem highly desirable that interested parties be kept regularly informed of those specific declarations which may be required. Perhaps it is useful to submit this suggestion to the Expert Group for consideration.

Switzerland

The Government of Switzerland approves the text of the Convention as it is, but will not be able to ratify it before the new agricultural law comes into force, probably in January 1956.

As a suggestion of a practical nature, we feel that it would be useful to have the requirements of countries concerning imports of plants and parts of plants classified under the name of each country in a loose-leaf booklet, with each page properly numbered, permitting replacement and substitution whenever necessary.

United States of America

The United States Government has no proposals for amendments to offer for consideration.

If, however, a meeting of experts is held at which amendments are considered, it might be desirable that the definition of "plant products", in Article II, be reviewed or clarified, especially in relation to the obligation for export certification in Article V. The last clause of Article II, Section 1, reads: "the term 'plant products' shall comprise

unmanufactured and milled material of plant origin, including seeds insofar as they are not included in the term 'plants'." Under Article V, signatory governments agree to provide export certification facilities to meet the plant protection regulations of importing governments.

It is not clear whether the term "milled material" was originally intended to cover all manufactured materials and if not, just what is expected to be covered. In the event that an importing country wishes to require certification of certain manufactured articles that it is scarcely practicable to inspect at the point of manufacture and ineffective to inspect at the port of export, the U.S. Government is uncertain whether signatory governments were expected to provide their exporters with export certification facilities to cover them. Commodities on which such questions have already arisen include lumber, crating, and other products made of wood. Similar questions may also arise in the future as to certain manufactured tobacco and cotton products. It is the U.S. Government's interpretation that "milled" relates only to such operations as flour milling, and that trade in most articles manufactured from wood, paper, tobacco, and cotton would be outside the framework of the Convention.

Further international consultation as to the extent that signatory governments wish to agree to furnish export certification service for manufactured and milled products might be useful. The United States has been issuing phytosanitary certificates covering exports of U.S. grown plants and plant products since 1926. Since this is a service authorized by law for the benefit of American exporters, the United States Government makes every reasonable effort to supply it upon request according to the known import requirements of the country of destination. This is done without charge for the service rendered by the plant quarantine inspectors during regular hours of service and at the usual places of duty. The plant quarantine inspectors are not in a position to perform extensive travel for the purpose. Similar conditions may prevail in other countries. It is the view of the U.S. Government, therefore, that inability to furnish phytosanitary certification covering manufactured and milled plant material should not be considered as failure to carry out the agreement under Article V, when such inability is due to excessive costs in inspectional manpower and funds, or because it is impracticable on account of firmly established trade practices (as in the case of the lumber used for crating).

Should this subject be considered in international consultations, it might be profitable to observe that the United States, drawing upon its experience in enforcing the Plant Quarantine Act of 1912, finds it more efficacious, with respect to importations of manufactured and milled materials of plant origin which must meet certain phytosanitary standards as a condition of entry into this country, to depend upon inspection at the time of arrival rather than upon a mandatory phytosanitary certificate, the issuance of which might be an onerous task for the exporting country.

APPENDIX B

LIST OF SIGNATORY AND ADHERING GOVERNMENTS TO THE INTERNATIONAL PLANT PROTECTION CONVENTION *

Country	Date of signature	Date of ratification	Date of adherence
ARGENTINA			23. 9.54
AUSTRALIA	30. 4.52	27. 8.52	
AUSTRIA	6.12.51	22.10.52	
BELGIUM	6.12.51	22. 7.52	
BRAZIL	6.12.51		
CAMBODIA			10. 6.52
CANADA	6.12.51	10. 7.53	
CEYLON	7.12.51	12. 2.52	
CHILE	3. 4.52	3. 4.52	
COLOMBIA	29. 4.52		
COSTA RICA	28. 4.52		
CUBA	6.12.51		
DENMARK	6.12.51	13. 2.53	
DOMINICAN REPUBLIC			20. 6.52
ECUADOR	12. 3.52		
EGYPT	6.12.51	22. 7.53	
EL SALVADOR	6.12.51	12. 2.53	
FRANCE	6.12.51		
GERMANY	30. 4.52		
GREECE			9.12.54
GUATEMALA	23. 4.52	25. 5.55	
INDIA	30. 4.52	9. 6.52	
INDONESIA	6.12.51		
IRAQ			1. 7.54
IRELAND	6.12.51	31. 3.55	
ISRAEL	6.12.51		
ITALY	2. 2.52	3. 8.55	
JAPAN	6.12.51	11. 8.52	
KOREA, REPUBLIC OF			8.12.53
LAOS			28. 2.55
LUXEMBOURG	16. 1.52	13. 1.55	
NETHERLANDS	6.12.51	29.10.54	
NEW ZEALAND	6.12.51	16. 9.52	
PAKISTAN			10.11.54
PHILIPPINE REPUBLIC	6.12.51	3.12.53	
PORTUGAL	6.12.51		
SPAIN	10.12.51	18. 2.52	
SWEDEN	11.12.51	30. 5.52	
SWITZERLAND	6.12.51		
THAILAND	6.12.51		
UNION OF SOUTH AFRICA	6.12.51		
UNITED KINGDOM	6.12.51	7. 9.53	
UNITED STATES	6.12.51		
URUGUAY	30. 4.52		
YUGOSLAVIA	6.12.51	11. 2.55	

* Entered into force on 3 April 1952.

** For adhering members, adherence becomes effective on the date when the instrument of adherence is deposited with the Director-General of FAO.